

RESOLUTION

A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, TO SET A DATE AND TIME FOR A PUBLIC HEARING RELATED TO THE POTENTIAL ABANDONMENT OF A SECTION OF FIRST AVENUE, A PUBLIC RIGHT-OF-WAY LOCATED IN LAND LOT 9 OF THE 18th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owner of the property adjoining a public right-of-way known as First Avenue have requested the abandonment of a section of the right-of-way, located in Land Lot 9 of the 18th District of DeKalb County consisting of approximately 0.109 acre and identified in Exhibit "A" (the "subject property"); and

WHEREAS, the subject property is no longer needed for road purposes by DeKalb County, no substantial public purpose is served by its continued existence and, therefore, pursuant to O.C.G.A. § 32-7-2(b)(1), the subject property may be abandoned as a public road; and

WHEREAS, the abandonment and subsequent sale of the subject property would serve the public purpose of continuing the productive use of the subject property, relieving the public from the charge of maintaining the subject property, and returning the subject property to the tax rolls of DeKalb County; and

WHEREAS, O.C.G.A. § 32-7-2(b)(1) requires that notice of the proposed abandonment of the subject property be given to all property owners located thereon and that notice of the proposed abandonment be published in the newspaper in which the sheriff's advertisements for the county are published once a week for a period of two weeks; and

WHEREAS, O.C.G.A. § 32-7-2(b)(1) requires that a public hearing be held on the proposed abandonment before the county may declare the section of the road system abandoned.

NOW, THEREFORE, BE IT RESOLVED, by the governing authority of DeKalb County, Georgia, that:

1) Pursuant to O.C.G.A. § 32-7-2 (b)(1), the county shall notify all landowners on or adjacent to the subject property of the proposed abandonment of the subject property and provide publication of the proposed abandonment as provided by law; and

2) The Board of Commissioners shall hold a public hearing at its regular Board meeting on November 13, 2018 at 10:00 a.m. regarding abandonment of the subject property, after which it will consider declaring the subject property abandoned by certification recorded in its minutes and accompanied by a plat, sketch and legal description of the subject property.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of _____, 2018.

Jeff Rader
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2018.

Michael L. Thurmond
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

Barbara H. Sanders-Norwood, CCC
Clerk
Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:



Max M. Chang
Assistant County Attorney
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:



Stacy Grear
Director
Geographical Information Systems
DeKalb County, Georgia

EXHIBIT "A"

FIRST AVENUE RIGHT-OF-WAY ABANDONMENT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE LAND LOT 9 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT ON THE EASTERN RIGHT OF WAY OF FIRST AVENUE WHERE THE SOUTHERN RIGHT OF WAY OF ROCKBRIDGE ROAD INTERSECTS WITH SAID EASTERN RIGHT OF WAY OF FIRST AVENUE,

THENCE SOUTH 02 DEGREES 15 MINUTES 57 SECONDS WEST ALONG SAID EASTERN RIGHT OF WAY OF FIRST AVENUE, 33.97 FEET TO THE POINT OF BEGINNING,

THENCE CONTINUE SOUTH 02 DEGREES 15 MINUTES 57 SECONDS WEST A DISTANCE OF 132.26 FEET TO A ½"RBF,

THENCE SOUTH 03 DEGREES 12 MINUTES 56 SECONDS WEST A DISTANCE OF 45.21 FEET TO A ½"RBF,

THENCE SOUTH 02 DEGREES 46 MINUTES 21 SECONDS WEST A DISTANCE OF 57.76 FEET TO A ½"RBF,

THENCE NORTH 87 DEGREES 25 MINUTES 21 SECONDS WEST A DISTANCE OF 27.28 FEET TO A POINT ON THE EASTERN RIGHT OF WAY OF FIRST AVE,

THENCE RUN NORTH ALONG EASTERN RIGHT OF WAY OF FIRST AVE NORTH 02 DEGREES 28 MINUTES 17 SECONDS EAST A DISTANCE OF 58.50 FEET TO A POINT,

THENCE RUN NORTH ALONG SAID RIGHT OF WAY NORTH 05 DEGREES 34 MINUTES 30 SECONDS EAST A DISTANCE OF 45.33 FEET TO A POINT,

THENCE RUN NORTH ALONG SAID RIGHT OF WAY NORTH 09 DEGREES 42 MINUTES 32 SECONDS EAST A DISTANCE OF 54.02 FEET TO A POINT,

THENCE RUN NORTH ALONG SAID RIGHT OF WAY NORTH 15 DEGREES 47 MINUTES 46 SECONDS EAST A DISTANCE OF 79.98 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 4730.34 SF = 0.109 AC